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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:
Thomas J. Kodadek

Serial No.: 09/780,575

Filed: February 9, 2001

For: SELECTIONS OF PEPTIDES WITH
ANTIBODY-LIKE PROPERTIES

Group Art Unit: 1639

Examiner: Unknown

Atty. Dkt. No.: UTSD:566US

CERTIFICATE OF MAILING
37 C.F.R 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Box Sequence, Commissioner for Patents, P.O. Box 2327, Arlington, VA 22202, on the date below:

April 28, 2003

Date

Steven L. Highlander

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT
APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID
SEQUENCE DISCLOSURES**

BOX SEQUENCE

Commissioner for Patents
P.O. Box 2327
Arlington, VA 22202

Sir:

In response to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, dated March 26, 2003, there are enclosed herewith:

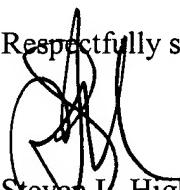
- (a) Preliminary Amendment;
- (b) Statement as Required Under 37 C.F.R. § 1.825(a) and (b) and Statement as Required Under 37 C.F.R. § 1.821(g);

- (c) Computer Readable Form of Sequence Listing;
- (d) Paper Copy of Sequence Listing;
- (e) A copy of Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures; and

Should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these materials, the Commissioner is authorized to deduct the appropriate fees from Fulbright & Jaworski Deposit Account No.: 50-1212/UTSD:566US.

Please date stamp and return the accompanying postcard to evidence receipt of these documents.

Respectfully submitted,



Steven L. Highlander
Reg. No. 37,642
Attorney for Applicant

FULBRIGHT & JAWORSKI L.L.P.
600 Congress Avenue, Suite 2400
Austin, Texas 78701
(512) 474-5201

Date: April 28, 2003



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/780,575	02/09/2001	Thomas J. Kodadek	UTSD:566US/SLH	1617

7590 03/26/2003
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600 Congress Avenue
Austin, TX 78701



EXAMINER

CELSA, BENNETT M

ART UNIT

PAPER NUMBER

1639

DATE MAILED: 03/26/2003

8

Please find below and/or attached an Office communication concerning this application or proceeding.

RECEIVED
Date(s) Docketed: 4/26/03 Ag-
listing due: 4/26/03
Final deadline

MAR 31 2003

Client: UTSD: 566US
Attorney(s): DPL/SLH/PDS
Initials: SLH SS

CG 4/1/03

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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
09/ 780, 575			



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EXAMINER	
CELSA, BENNETT	
ART UNIT	PAPER NUMBER
1639	8

DATE MAILED:

Please find below a communication from the EXAMINER in charge of this application

Commissioner of Patents

SEQUENCE RULES : BONAFIDE ATTEMPT LETTER

Applicant's computer readable form (CRF) and paper copy submitted on June 28, 2002 in paper number 6 is acknowledged.

However, applicant's response is not in full compliance with the sequence rules since the specification was not amended to insert sequence identifiers. This is necessary in accordance with the rules in order for the Examiner to determine full compliance. It would appear that the specification contains peptides which lack corresponding sequence identifiers (e.g. see Fig. 2).

IT IS APPLICANT'S RESPONSIBILITY TO REVIEW THE SPECIFICATION (DISCLOSURE, ABSTRACT, CLAIMS AND FIGURES) FOR NECESSARY COMPLIANCE.

Since the above-mentioned reply appears to be *bona fide*, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment.
 EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

General information regarding further correspondence

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Celsa whose telephone number is (703) 305-7556.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew J. Wang (art unit 1639), can be reached at (703) 306-3217.

Any inquiry of a general nature, or relating to the status of this application, should be directed to the Group receptionist whose telephone number is (703) 308-0196.

Bennett Celsa (art unit 1639)
 March 24, 2003.

BENNETT CELSA
 PRIMARY EXAMINER



**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing."
- 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- 7. Other: Applicant MUST amend specification to place sequence identifiers, where appropriate

Applicant Must Provide:

- An initial or **substitute** computer readable form (CRF) copy of the "Sequence Listing".
- An initial or **substitute** paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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